

Translation

PATENT COOPERATION TREATY

PCT Rec'd PCT/PTO 22 JUN 2006

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 2003P00621WO	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/EP2004/000216	International filing date (day/month/year) 14.01.2004	Priority date (day/month/year) 21.01.2003
International Patent Classification (IPC) or national classification and IPC H01L 51/20, 51/40		
Applicant POLYIC GMBH & CO. KG		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>4</u> sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising: a. <input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>2</u> sheets, as follows: <input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items: <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/000216

Box No. I

Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-8 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 1-9 _____ received by this Authority on 06.06.2005 with the letter of 06.06.2005
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1/1 _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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International application No.

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims		YES
	Claims	1-9	NO
Inventive step (IS)	Claims		YES
	Claims	1-9	NO
Industrial applicability (IA)	Claims	1-9	YES
	Claims		NO
2. Citations and explanations (Rule 70.7)			
Reference is again made to the following documents:			
D1: WO 02/05360 A (BERNDS ADOLF; FIX WALTER (DE); ROST HENNING (DE); SIEMENS AG (DE); CL), 17 January 2002 (2002-01-17)			
D2: WO 02/099908 A (BERNDS ADOLF; FIX WALTER (DE); SIEMENS AG (DE); ULLMANN ANDREAS (DE);), 12 December 2002 (2002-12-12)			
D3: WO 02/05361 A (3M INNOVATIVE PROPERTIES CO), 17 January 2002 (2002-01-17)			
D4: ROGERS J A et al.: "PRINTING PROCESS SUITABLE FOR REEL-TO-REEL PRODUCTION OF HIGH-PERFORMANCE ORGANIC TRANSISTORS AND CIRCUITS", ADVANCED MATERIALS, VCH VERLAGSGESELLSCHAFT, WEINHEIM, DE, Vol. 11, No. 9, 5 July 1999 (1999-07-05), pages 741-745, XP000851834, ISSN 0935-9648			
The application still fails to meet the requirements of PCT Article 33(1) because the subject matter of claims 1 to 9 is not novel (PCT Article 33(2)). Document D3 discloses (the references in parentheses are to D3) the production of a homogeneous layer using a reel-to-reel process (see, for example, figure 4; figure 3, "sealing layer 30"). The			

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Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

entire OLED is constructed using a reel-to-reel process (see figure 4 and page 12 ff. of the description, especially page 14, line 13 ff.). Consequently there is also a lack of novelty in claim 9, which is directed to the electronic component, because the only characterising features of this claim are the steps of the production process. In this regard it is also noted that the formulation of claim 9 as a "product-by-process" claim is inadmissible in this instance (PCT Article 6). Dependent claims 2 to 8 do not appear to contain any features that meet the PCT requirements in respect of novelty or inventive step when combined with the features of any of the back-referenced claims (see documents D1 to D4 and the passages cited in the search report). With regard to the subject matter of claim 5 it is noted that the structuring of the functional layer also includes cutting the strip into separate components. This is at least implicitly disclosed in document D3 ("cut lines 32").